

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-7801**

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ROBERT ALLEN SARTORI,

Plaintiff - Appellant,

and

STANDLY HEARD; ADULA WALI, a/k/a Linwood Earl  
Duffie; REGINALD OUTLAW; MELVIN HARRIS; LARRY  
GARY, JR.; GREGORY GANT; NATHAN WEAVER,

Plaintiffs,

versus

ROY COOPER; ALL DISTRICT ATTORNEYS IN NORTH  
CAROLINA,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. James C. Fox, Senior  
District Judge. (CA-02-875-5-F)

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Submitted: April 28, 2004

Decided: May 18, 2004

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Before WILLIAMS and KING, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Robert Allen Sartori, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Robert Allen Sartori filed a civil action captioned under 42 U.S.C. §§ 1981, 1983 (2000). The district court concluded Sartori's claims sounded in habeas, dismissed Sartori's claims under 42 U.S.C. §§ 1981, 1983 (2000), and instructed him to particularize his complaint to comply with the requirements of 28 U.S.C. § 2254 (2000). Sartori's amended complaint failed to comply with the district court's instruction, and the district court denied relief. Sartori moved for reconsideration. The district court noted that Sartori "shows the court that his previous motion to amend actually sought to amend the relief requested" and that Sartori "argues that his claim should now be construed as a discrimination suit under §§ 1981 and 1983, and not as a petition for habeas corpus." The district court nonetheless denied the motion for reconsideration, holding that "[r]egardless, the plaintiff's claim will still be dismissed." Sartori appeals from the district court's order and order on reconsideration denying relief on his amended complaint. We have reviewed the record and find no reversible error. See Sartori v. Cooper, No. CA-02-875-5-F (E.D.N.C. filed Sept. 26, 2003; entered Sept. 29, 2003 & filed Oct. 23, 2003; entered Oct. 27, 2003). Accordingly, we affirm. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED